

February 29, 1984

LB 692

amendment would require the claimant to notify the Department of the...the Director of the Department of Insurance at the time he or she files a lawsuit. It is necessary that the Department of Insurance is aware of all potential claims which might affect the excess liability fund. And the final portion of the amendment I am offering, the amendment in Section 6 to Section 44-2837 has been requested by the Department of Insurance. Creates the residual malpractice insurance authority which is empowered to write medical malpractice liability insurance for providers who are unable to obtain professional liability insurance from other sources. Presently the law requires the Director to appoint a risk manager for the authority. Since there are only a few providers who need such insurance, the Director would like to have the discretion not to appoint a risk manager, thus subsection 3 would be amended to say that he may appoint a risk manager for the authority. I have read this into the record so it would be in the record. This is the amendment. As I say, the only controversial part is the one I mentioned.

SPEAKER NICHOL: The question is the adoption of the amendment to the amendment. All those in favor vote aye, opposed nay. Have you all voted? Okay, record, Mr. Clerk.

ASSISTANT CLERK: 20 ayes, 0 nays on the amendment to the amendment, Mr. President.

SPEAKER NICHOL: The amendment to the amendment has been adopted. Now back to the committee amendments. Do we have anything else on the committee amendments?

ASSISTANT CLERK: Mr. President, I have a second amendment to the committee amendments and that is offered by Senator Beutler.

SPEAKER NICHOL: Senator Chris Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, under this particular section of the statutes there is what called a statute of repose which is six years in length. The statute of repose means that basically